

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Gary Barnes,

Civ. No. 10-3950 (PAM/JJK)

Plaintiff,

v.

ORDER

William Mavity, and
Insurance Carrier,
Defendants.

This matter is before the Court on the Report and Recommendation (“R&R”) of Magistrate Judge Jeffrey J. Keyes, dated September 20, 2010. The Court must conduct a de novo review of all portions of a Magistrate Judge’s R&R to which specific objections are made. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(3); D. Minn. L. R. 72.2(b). No objections have been filed in the time period permitted. Thus, this Court **ADOPTS** the findings and conclusions in the R&R (Docket No. 4).

Accordingly, **IT IS HEREBY ORDERED** that:

1. Plaintiff’s Motion for Leave to Proceed in forma pauperis (Docket No. 2) is **DENIED**; and
2. Pursuant to Fed. R. Civ. P. 12(h)(3), this action is summarily **DISMISSED** for lack of subject matter jurisdiction.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: November 3, 2010

s/Paul A. Magnuson

Paul A. Magnuson
United States District Court Judge